

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

v.

HENRY HERIBERTO GOMEZ DISLA,
a/ka HENRY GOMEZ

Mag. No. 07-3632

I, Ilona Salavarria, being duly sworn, state the following is true and correct to the best of my knowledge and belief. On or before June 11, 2004, in Middlesex County, in the District of New Jersey, and elsewhere, defendant HENRY HERIBERTO GOMEZ DISLA, a/ka/ Henry Gomez,

being an alien who was deported and removed and had departed the United States while an order of deportation and removal was outstanding subsequent to his conviction for the commission of an aggravated felony, and thereafter, without the express consent of the Attorney General of the United States to reapply for admission prior to his reembarkation at a place outside the United States, did knowingly and willfully reenter the United States,

in violation of Title 8, United States Code, Sections 1326(a) and (b)(2).

I further state that I am a Deportation Officer with Immigration and Customs Enforcement and that this complaint is based on the following facts:

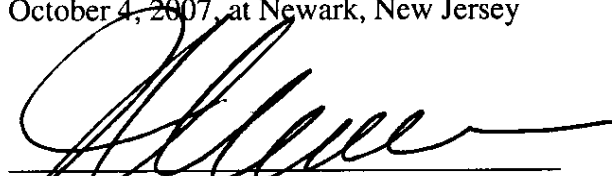
SEE ATTACHMENT A

continued on the attached page and made a part hereof.



Ilona Salavarria, Deportation Officer
Immigration and Customs Enforcement

Sworn to before me and subscribed in my presence,
October 4, 2007, at Newark, New Jersey



HONORABLE MARK FALK
UNITED STATES MAGISTRATE JUDGE

ATTACHMENT A

I, Ilona Salavarria, a Deportation Officer with Immigration and Customs Enforcement, having conducted an investigation and having spoken with other individuals, have knowledge of the following facts:

1. Defendant HENRY HERIBERTO GOMEZ DISLA, a/k/a Henry Gomez ("GOMEZ") is a native and citizen of the Dominican Republic.
2. On or about December 7, 1992, GOMEZ was convicted in the New Jersey Superior Court, Somerset County, for distribution of a controlled dangerous substance (cocaine) and was sentenced to an indeterminate term of imprisonment not to exceed five years. This conviction constitutes an aggravated felony as defined in 8 U.S.C. § 1101(a)(43)(B).
3. On or about May 22, 1997, GOMEZ was deported from the United States to the Dominican Republic pursuant to an order of deportation entered on April 25, 1997 in connection with the crime described in paragraph two above.
4. On or about June 11, 2004, GOMEZ was arrested by law enforcement officials in Middlesex County, New Jersey for, among other things, possession with intent to distribute a controlled dangerous substance (cocaine). A fingerprint analysis shows that GOMEZ is the same individual who was convicted of the offense set forth in paragraph two and who was deported on or about May 22, 1997, as set forth in paragraph three.
5. Records reveal that the Attorney General of the United States did not expressly consent to either GOMEZ's reapplying for admission to the United States prior to his reembarkation at a place outside the United States or his reentry into the United States.